IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

THE CHICKASAW NATION and)
THE CHOCTAW NATION,)
Plaintiffs,)
v.) No. 05-cv-01524-W
UNITED STATES DEPARTMENT)
OF THE INTERIOR, et al.,)
Defendants.)))

PLAINTIFFS' NOTICE TO THE RECORD

COME NOW Plaintiffs, The Chickasaw Nation and The Choctaw Nation ("Plaintiffs" or "Nations"), and submit the following Notice to the Record:

- 1. Upon the application of the Plaintiffs, on May 18, 2015 this Court extended the time allowed for Plaintiffs to file a *Daubert* motion challenging the testimony of Terence Kehoe until May 22, 2015. [Dkt. # 294.]
- 2. Upon review of the qualifications and testimony of Defendants' expert Terence Kehoe, Plaintiffs provide this Notice to the Record, informing the record Plaintiffs have determined that judicial efficiency will best be served by Plaintiffs not filing at this time a *Daubert* challenge to Dr. Kehoe offering testimony in this matter. Instead, should Defendants call Dr. Kehoe to testify at trial, Plaintiffs will challenge at that time his creditability and qualifications to offer opinions as to the history of the Choctaw and Chickasaw Nations.

Dated: May 22, 2015.

Respectfully submitted,

s/ Michael Burrage

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CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2015, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will send e-mail notification of such filing to all registered parties.

s/ Michael Burrage
Michael Burrage